



**EDENTON-CHOWAN  
PLANNING AND INSPECTIONS DEPARTMENT**

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**Chowan County Planning Board  
October 18, 2005  
7:00 pm  
Chowan County Court House  
(Broad Street)  
MINUTES**

Chairman Spivey called the meeting to order. He asked for a moment of silence.

Ms Bryant then called the roll, Craig Blanchard, Jack Held, Lia McDaniel, Roger Spivey, Fred Smith, Jim Leggett, and Kathy Williams were all present.

Chairman Spivey called for any corrections or additions to the August 16, 2005 minutes. (Being none) He then declared the minutes approved as submitted. Chairman Spivey then asked Elizabeth to introduce the first case, **Preliminary-Final Plat for 6 lot Subdivision on Yeopim Road.**

Ms. Bryant introduced Mr. Phelps and stated that the County Ordinance allows a fast track approval process, which allows for joint preliminary and final review. She stated after the recommendation from the Planning Board will be forwarded to the next meeting of the Chowan County Commissioners at their November meeting. She added that this subdivision did meet the new regulations for driveway entrances, which regulate the number of access points to major subdivisions. She added that staff has no objections for this plat.

Mr. Phelps stated that he has tried to meet all requirements from Elizabeth and the Environmental Services comments.

Ms. Bryant added that Jon Morgan has certified that the lots are of adequate size and will perk.

Mr. Smith asked about the clearing of land.

Mr. Phelps stated that his land was cleared and that adjoining property owners have done some clearing.

Chairman Spivey called for any comments or questions from the floor and the Board. (Being none) Chairman Spivey asked for a motion to recommend approval for the

Preliminary-Final Plat. Mr. Blanchard motioned for approval; Ms. McDaniel seconded the motion. The motion passed unanimously (7-0).

Chairman Spivey noted the next item, **an application from US Cellular for wireless communications tower on Virginia Road, Tyner.**

Ms. Bryant stated that the property is owned by CA Perry and Son and Sidney L. Perry. She stated that US Cellular is the applicant for the wireless structure. She added that staff has reviewed the application and all accompanying material has been included.

Tom Johnson with the firm of Ward and Smith introduced other persons with him, Gary Miller, surveyor on the project; Gary Mandress the engineer; Gary Williams, US Cellular Senior Project manager. Mr. Johnson then handed out renderings of before and after photos of the project. Mr. Johnson stated that US Cellular looks to build towers where there is a need for service. He stated that he is proposing a 300-foot guide wire tower. He added that in rural areas they try to install taller towers. He added that FCC licenses, FAA and several other requirements have been met as well as County Ordinance requirements. Mr. Johnson said that the tower would offer space for others to co-locate to help eliminate the need for more tower construction. Mr. Johnson added that US Cellular sets aside monies to remove the tower if the tower should have to be abandoned by US Cellular.

Mr. Leggett asked how many towers are in Edenton.

Mr. Johnson said that there is one tower in Edenton and one in Midway that belong to US Cellular.

Ms. McDaniel asked if a path is in place for access to the tower.

Mr. Johnson said there is a gravel road/ easement for access and utilities. He added the sites are regularly maintained and serviced.

Mr. Leggett asked if there are height restrictions for towers this high in regards to infrastructure near by.

Ms. Bryant said yes, the applicant is required to show a fall radius for the tower and it has been included with the application.

Mr. Leggett asked if any other towers are in that area.

Ms. Bryant stated that a tower is being constructed for emergency communications that is further south. She added this tower will provide service to an area of the County that does not have a lot of coverage and that this tower does provide coverage for much of Chowan County. Ms. Bryant commented that the Ordinance was amended in regards to height, to allow for towers of this height with restrictions on it that they serve some type of public

safety purpose or that they demonstrate that there is a significant lack of coverage in the area and that there is no opportunity for co-location in order to provide that service.

Peter Rascoe spoke in favor of the application and added that this tower is a vision of the County Manager due to complaints from residents of the Northern end of Chowan County.

Chairman Spivey called for any further questions or comments. (Being none) Ms. Williams motioned that the Board recommend approval to the County Commissioners. Mr. Held seconded the motion. The motion carried unanimously (7-0).

Chairman Spivey stated the final item of business is **Review of Sketch Plan for 150 Lot Subdivision at Gliden Road and County Line Road.**

Ms. Bryant explained the sketch plan review process to the public. She said that the Board would only make comment on this plan tonight. She said that Board has a copy of an email from Scott Alons and Duane Hinson with the Soil and Water Conservation department regarding soil types in the area and potential drainage issues. She added that they have concerns with some of the soils being poor and some were good for building and for drainage but some were not. She said that they requested a more detailed drainage plan and said that would be necessary for them to further evaluate the project. She added that would come a preliminary plat stage. She said that Jon Morgan with the Health Department has not done a site walk through but he also echoed Scott's comments about the soil types and some areas towards the rear of the property. Jon Morgan would require that at preliminary plat the applicant have him go and do a survey of the site to determine adequacy for septic tank treatment of wastewater. She added that Peter Rascoe and she felt it was important to include staff recommendation on Drainage for Major Subdivisions. She said this is something the Board is going to adopt as a matter of policy for now and would like to include in the re-write of the subdivision regulations. She said it details the applicant provide a detailed drainage plan that is reviewed by the Soil and Water Conservation staff for adequacy. She turned the floor over to Mike Miller with Global Real Estate who is representing this project.

Mike Miller stated that per recommendation of Ms. Bryant they have removed all cul-de-sacs to make the development more interconnective. He said that the lots would be large 25,000 square foot lots. He said they would do testing for septic and storm water. He said this development will be constructed in 5-6 Phases and will go over numerous years. He said they have allowed for a lot of open space and retention ponds in the rear. He said he was there for citizen comment tonight.

Chairman Spivey called for questions or comments from the Board.

Mr. Leggett stated that the development is large and that Highway 37 carries a lot of traffic. He asked if any development is proposed in the area.

Chairman Spivey said that there is no development in the present time but there is a planned development that the Board reviewed on Highway 32.

Mike Miller said that NC DOT would have to review the plat for road requirements also.

Mr. Smith asked about the lots already divided on Highway 37 he asked if they exist.

Ms. Bryant said yes the lots exist with homes on the lots.

Mr. Miller said that there would be a buffer with no access off of County Line Road.

Ms. McDaniel asked how wide are the lots.

Mr. Miller said the subdivision regulations call for a minimum of 100 feet in width and 150 feet in depth.

Ms. Bryant added that the minimum lot size is 25,000 square feet and if the lots do not perk the size of the lot may be increased.

Ms. Williams stated that she has concern about the septic tanks failing in the future.

Ms. Bryant said that per conversation with Duane, Scott and Jon Morgan that the lots near the intersection of NC37 and County Line Road, those soils are good. She added that soils near the back make need to be enlarged or further work on the lots.

Chairman Spivey asked about the style of house.

Mr. Miller stated that a minimum of 2,000 square foot homes.

Chairman Spivey asked if the homes would be stick built or modular.

Mr. Miller said the homes would be stick built.

There was discussion about the width of the roads.

Mr. Miller noted that he would verify the width of the roads and show the plan to DOT for their comments.

Ms. Bryant stated that DOT would accept a 50-foot right of way but prefer a 60-foot right of way.

Chairman Spivey asked a per lot perk survey will be attached to the preliminary plat.

Mr. Miller said that the Health Department would run a grid pattern and not check each lot at that time.

Ms. Bryant added that Chowan County does not have a per lot perk survey requirement however she said if the Board feels it is a reasonable condition the Board may ask for that prior to preliminary plat approval.

Chairman Spivey asked what would happen when septic systems fail.

Mr. Miller said that when a lot is purchased prior to construction a septic permit would be required per lot.

Ms. Bryant added that the goal of staff and the Planning Board and Environmental Health is to prevent the purchase of lots that will not hold a septic system through preliminary plat review.

Mr. Smith asked if the Water Department was capable of servicing this size project.

Ms. Bryant said that Ray Goodwin reviewed the sketch plan and indicated no problems with connection to the water system.

Mr. Blanchard asked about the timeline of phases.

Mr. Miller pointed to the sketch plan to show the phase stages.

Mr. Leggett asked what would be done with the open space.

Mr. Miller said that he would request county input for what will be put in the open space and added that he is open for suggestions.

Mr. Rascoe added that open swells and ditches would be required, during preliminary plat, to be under easement for professional maintenance.

Mr. Leggett spoke in favor of the layout of the sketch.

Chairman Spivey asked about a timeline for full build-out.

Mr. Miller said approximately 5 years.

Chairman Spivey asked of the Board if they feel Chowan County could handle the possibility of 300 additional students in the school system.

Mr. Miller said that the 5 to 10 year build out would give the County time to plan for additional children in the school system.

County Manager Cliff Copeland added that the School System would be involved in planning for capacity of students along with elected officials.

Chairman Spivey asked for any further questions from the Board. (Being none, he opened the floor to public comment).

Commissioner Harry Lee Winslow stated that he is a resident of Gliden Road and Highway 37. He said that he wanted to point out some issues that he felt needed to be addressed. He said that the entrance on Highway 37 appears to be nice but a survey of a property owner only has 25 feet of right away between the ditch and the road for an entry way. He said that the sketch plan shows 125.6 acres and said that there are only 114.78 acres in the tract. He shared an survey and report dated 1986 with the Board and stated that the tract will not support septic systems, stated that the survey shows severe wetness and poor filters all the way across the tract. Commissioner Winslow shared an aerial photo with the Board of the Swamp that he stated appear to be full. He stated that adjoining property owners have had their septic tanks pumped because of drainage problems. Mr. Winslow stated that the proposed playground area is wet according to the soil survey. Mr. Winslow said that the retention ponds at 10 feet deep can only hold 3 million gallons in the pond and added that there are 13 million gallons of water left to dispose of. He stated this project would be detrimental to the area and public and schools. Commissioner Winslow urged the Board to review the land descriptions that he has provided.

Bob Hutchinson said that the development looks nice, but added that more review should be done and request that the Board does not approve the plan until the applicant provides more information in regards to drainage. He added that he was in favor of development and landowner rights but that this model of this development is proposed for economic profits for the developer only. He said that this development could be a headache for the County. He said he is concerned about water run-off because he owns property across the road. He added the current water line has been in place for over 15 years and the water is full of sediment currently. He said that the intersection at County Line Road and Highway 37 is dangerous currently. He added that he is concerned about the buffer. He stated that the lot size is not going to support the septic system. He reiterated his displeasure of this development.

Katrina Rogerson stated she is concerned about the water runoff. She said that the ditches take long amounts of time to drain. She said that the 16 homes around her property could potentially have swimming pools and that the water will drain onto her property. She added that she is a school bus driver but some homes have more than 2 children. She added that her bus has 3 children and is currently full. She stated her concern of drug traffic in developments. Ms. Rogerson asked about a buffer around her property and the drainage coming onto her property. Ms. Rogerson stated that a complete survey has not been done around her property and stated that she felt the developer has been grossly negligent. She added that she also works in a cafeteria for White Oak Elementary and cut backs and class sizes have been cut from federal funding and questioned how more children could be added to the school classrooms.

Glenn Rogerson shared some articles with the Board. He read an excerpt from an article in the North Carolina Cattlemen's Association in regards to eminent domain in regards to

the writers comment that agricultural land is always profitable for local government. He said the type of soil on the proposed site does not provide adequate drainage for the site and added the land will collapse. He shared an article about Camden County's growth and lack of infrastructure. He requested that all applications for the next six months be deferred until zoning is completed for the entire county. He asked that the Board consider all the public comments.

Jeff Copeland stated that this property is close to a hog lagoon owned by Randy Copeland and that he wanted people to know this before property is purchased. He said he is concerned about the drainage also.

Rachael Reid asked the developer if he had been to the property.

Mr. Miller said yes but he has not walked the entire property.

Donald Forehand stated that he owns property on the east and west side of Highway 37. He said that he is aware of the drainage problems. He said that he feels the development will be more of a liability to the county rather than an asset. He added the property is 22 miles north of Edenton and that potential revenue will not come south but to closer places such as Perquimans County and Suffolk. He added that Perquimans County denied an application for nearby property recently. He added that he hopes this development does not go further.

Chairman Spivey called for any further comments. (Being none) Chairman Spivey stated that this is not a preliminary plan but a sketch plan for pre planning and comments. Chairman Spivey said that Mr. Miller would take the comments from this meeting and include them in any future plans for a preliminary plan. Chairman Spivey thanked Mr. Miller for bringing this plan for comments.

Mr. Miller stated that all concerns will be resolved if they decided to return with any future preliminary plat.

Chairman Spivey asked for any further comments or questions (Being none) Mr. Leggett motioned that the meeting be adjourned (7-0).